

1AP10 Rec'd PCT/PTO 29 DEC 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                   |                               |                 |                   |
|-------------------|-------------------------------|-----------------|-------------------|
| Applicant(s)      | Stehouwer et al.              | Examiner:       | Unassigned        |
| Application No.:  | 10/516,655                    | Group Art Unit: | Unassigned        |
| Confirmation No.: | 8765                          | Docket:         | 1564-2 PCT/US     |
| Filed:            | December 1, 2004              | Dated:          | December 27, 2005 |
| For:              | GELATIN FREE DAIRY<br>DESSERT |                 |                   |

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*I hereby certify this correspondence is being deposited with  
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On: December 27, 2005

Signed: Barbara Thomas

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Sir:

In response to the Notification of Missing Requirements dated October 31, 2005, a response to which is due December 31, 2005, for the above-identified case, Applicant submits the following:

1. A Combined Declaration and Power of Attorney signed by Floris Stehouwer and Jacob Knip, inventors of the above-identified invention, such Declaration identifying the application by the afforded U.S. application serial number, the international application number and international filing date;
2. A copy of the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US); and
3. A check in the amount of \$130.00 is enclosed, representing payment of the surcharge fee for the missing requirements.

01/03/2006 GFREY1

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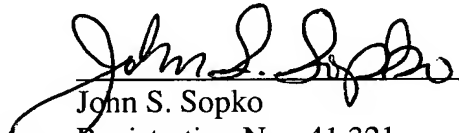
Applicant: Stehouwer et al.  
Application No.: 10/516,655  
Filing Date: December 1, 2004  
Docket No.: 1564-2 PCT/US  
Page 2

An Assignment document is being concurrently filed with this response in a separate correspondence to the Assignment Division, along with the required Recordation Form Cover Sheet and check in the amount of \$40.00.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions regarding this submission, please contact the undersigned counsel at the telephone number below.

Respectfully submitted,

  
John S. Sopko  
Registration No.: 41,321  
Attorney for Applicant(s)

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 29 DEC 2005

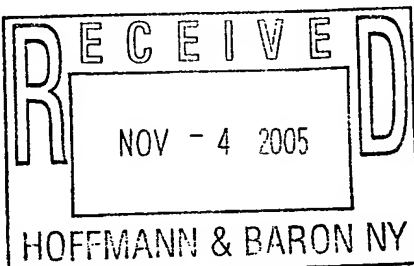
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/516,655                  | Floris Stehouwer      | 903-121 PCT/US   |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/EP03/05449                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 05/21/2003                    | 06/07/2002    |

23869

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CONFIRMATION NO. 8765

371 FORMALITIES LETTER



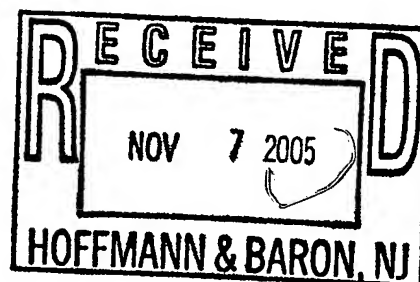
\*OC000000017349584\*

Date Mailed: 10/31/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/01/2004
- Copy of the International Search Report filed on 12/01/2004
- Copy of IPE Report filed on 12/01/2004
- Preliminary Amendments filed on 12/01/2004
- Information Disclosure Statements filed on 12/01/2004
- Request for Immediate Examination filed on 12/01/2004
- U.S. Basic National Fees filed on 12/01/2004
- Priority Documents filed on 12/01/2004
- Power of Attorney filed on 12/01/2004



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surchage.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/516,655                  | PCT/EP03/05449                | 903-121 PCT/US   |

FORM PCT/DO/EO/905 (371 Formalities Notice)